

MAR 11 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
 Toshiki TARU, et al. :
 Serial No.: 10/082,083 : Group Art Unit: 2874
 Filed: February 26, 2002 : Examiner DOAN, J.
 For: OPTICAL FIBER AND FIBER GRATING DEVICE

THE COMMISSIONER FOR PATENTS AND TRADEMARKS
 Washington, DC 20231

Dear Sir:

Transmitted herewith is an Amendment in the above identified application.

No additional fee is required.
 Applicant is entitled to small entity status under 37 CFR 1.27
 Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	5	20	0	\$18.00 =	\$0.00
Independent Claims	1	3	0	\$84.00 =	\$0.00
Multiple claims newly presented					\$0.00
Fee for extension of time					\$0.00
					\$0.00
Total of Above Calculations					\$0.00

Please charge my Deposit Account No. 500417 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 500417, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

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AMENDMENT

Commissioner for Patents
Washington, DC 20231

Sir:

The following remarks are submitted in response to the non-Final Office Action
dated December 11, 2002.

REMARKS

Claims 1-5 are active and pending in the present application. All claims stand rejected under 35 USC 103 as unpatentable over Dong et al. (US 6,009,222).

The Examiner asserts that Dong et al. disclose the invention substantially as recited in claims 1-5. However, the Examiner admits that Dong et al. do not teach:

- a) the deviation of UV photosensitivity over the core region and the inner cladding region is $\pm 10\%$ or less as recited in claims 1-3; and
- b) the deviation of UV photosensitivity over the core region and the inner cladding region of $\pm 5\%$ or less as recited in claims 4.